

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

HARRY HAMILTON,

Plaintiff

v.

113TH PRECINCT COMMANDING  
OFFICER, *et al.*,

Defendants

:  
:  
:  
: 3:22-CV-101  
: (JUDGE MARIANI)  
:  
:  
:  
:

ORDER

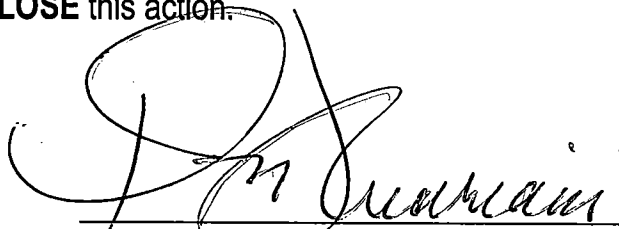
FILED  
SCRANTON

FEB 02 2023

PER \_\_\_\_\_  
DEPUTY CLERK

AND NOW, THIS 2ND DAY OF FEBRUARY, 2023, upon review of Magistrate Judge Susan Schwab's Report & Recommendation ("R&R") (Doc. 8) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 8) is **ADOPTED** for the reasons stated therein.
2. Plaintiff's action is **DISMISSED** pursuant to Fed. R. Civ. P. 41(b) for failure to comply with the Court's Orders and for failure to prosecute this action.<sup>1</sup>
3. The Clerk of Court is directed to **CLOSE** this action.



Robert D. Mariani  
United States District Judge

---

<sup>1</sup> Judge Schwab's reasoning and conclusion that Plaintiff has failed to prosecute and has abandoned this action is further supported by Plaintiff's failure to file any Objections to the pending R&R despite over three months having passed since its issuance on October 17, 2022.

The Court also agrees with the R&R's findings that an application of the *Poulis* factors further supports the dismissal of this action. See Doc. 8, at 3-6; *Poulis v. State Farm Fire and Cas. Co.*, 747 F.2d 863 (3d Cir. 1984).